

CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 04/13/99

AGENDA ITEM 2

WORK SESSION ITEM

TO: Mayor and City Council

FROM: City Clerk

SUBJECT: Adoption of Living Wage Ordinance as Article 13 of Chapter 2 of the Hayward Municipal Code

RECOMMENDATION:

Adopt an ordinance introduced by Council Member Ward at a meeting of the Hayward City Council on April 6, 1999.

BACKGROUND:

The ordinance was introduced with the following vote:

AYES: Council Members: Jimenez, Hilson, Rodriquez, Ward, Dowling, Henson

Mayor: Cooper


NOES: Council Members: None

This ordinance was published in the Hayward Daily Review on April 10, 1999. Adoption at this time is therefore appropriate.

Prepared by:


Angelina Reyes, City Clerk

Approved by:


Jesús Armas, City Manager

**PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY
COUNCIL OF THE CITY OF HAYWARD**

**AN ORDINANCE ADOPTING THE HAYWARD LIVING
WAGE ORDINANCE AS ARTICLE 13 OF CHAPTER 2 OF
THE HAYWARD MUNICIPAL CODE**

BE IT ORDAINED by the City Council of the City of Hayward as follows:

SECTION 1. FINDINGS. The City Council finds and determines as follows:

- a. The City awards many contracts to private firms which provide services and labor to City government and to the public.
- b. Experience indicates that many City contractors who provide services and labor pay their employees of wages at or slightly above the minimum required by federal and state minimum wage laws.
- c. Payment of inadequate compensation does not provide affected employees with resources sufficient to afford a decent standard of living in Hayward.
- d. The City intends to require contractors to provide a minimum level of compensation that will improve the level of services rendered to and for the City.
- e. Based upon public comment, testimony and studies, the City Council finds that the wage levels set by this ordinance are minimum compensation levels required to afford a decent standard of living in Hayward.

SECTION 2. ADOPTION OF HAYWARD LIVING WAGE ORDINANCE. The Hayward Municipal Code is amended by adding a new Article 13 to Chapter 2 entitled the "Hayward Living Wage Ordinance" to read as follows:

ARTICLE 13
HAYWARD LIVING WAGE ORDINANCE

Section 2-13.010	Title and Definitions
Section 2-13.020	Applicability of Hayward Living Wage Ordinance Requirements
Section 2-13.021	Subcontracted Work
Section 2-13.030	Notifying employees of their potential right to the federal Earned Income Credit
Section 2-13.040	Enforcement
Section 2-13.050	Administration
Section 2-13.060	Coexistence with other available relief for specific deprivations of protected rights
Section 2-13.061	Application to City of Hayward Employees
Section 2-13.070	Supersession by collective bargaining agreement
Section 2-13.080	Severability

SECTION 2-13.080 SEVERABILITY. If any provision of this Article is declared legally invalid by a final judgment rendered a court of competent jurisdiction, the provision declared invalid shall be deemed to be severable to the extent that the remaining provisions of this Ordinance can be enforced in a manner which substantially carries out the objectives of this Ordinance.

SECTION 3. EFFECTIVE DATE In accordance with section 720 of the Hayward City Charter, this ordinance shall take effect thirty days after its adoption.

Introduced at a regular meeting of the Hayward City Council held April 6, 1999, the above entitled ordinance was introduced by Council Member Ward.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on April 13, at 8:00 p.m., in the Council Chambers, 777 B Street, Hayward, California. Copies of the full text of this ordinance are available for examination by the public in the Office of the City Clerk, 777 B Street, Hayward Public Main Library, 835 "C" Street, or the Weekes Branch Library, 27300 Patrick Avenue.

DATED: April 10, 1999

**ANGELINA REYES
CITY CLERK OF THE
CITY OF HAYWARD**